

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KEVIN K. SIMMONS, )  
Plaintiff, )  
v. ) 1:11CV291  
B. STUBBS, et al., )  
Defendants. )

**O R D E R**

On August 19, 2011, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docket Entries 23 & 24.) Plaintiff filed objections to the Recommendation within the time limit prescribed by Section 636. (Docket Entry 29.)

The Court has reviewed Plaintiff's objections de novo and finds they do not change the substance of the United States Magistrate Judge's Recommendation (Docket Entry 23) which is affirmed and adopted.

**IT IS THEREFORE ORDERED** that the motion to dismiss of Defendant Beverly A. Stubbs, Nurse Supervisor (Docket Entry 17) is **GRANTED** and Defendant Stubbs is hereby dismissed from this action.

This the 7<sup>th</sup> day of March, 2012

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge